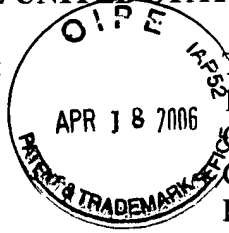


TFW
3738

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Thomas D. Egan
Serial No.: 10/511,385
Filing Date: October 15, 2004
Title: Gastric Bypass Prosthesis
Attorney Docket: EGAL-110 (91966-010100)



MS: Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

CERTIFICATE OF MAIL

I certify that this document is being deposited on the date stated below, with the U.S. Postal Service as first class mail under 37 C.F.R. 1.8(a) and is addressed to MS: Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

4/13/06
Date

Ben Joplin
Ben Joplin

RESPONSE TO RESTRICTION REQUIREMENT

This paper is responsive to the Office Action dated February 15, 2006. In the Office Action, the Examiner stated that the application contained claims to the following patentably distinct species of the claimed invention:

- | | | |
|----|---------|----------|
| A. | Figures | 1A-1D |
| B. | Figure | 2 |
| C. | Figure | 2A |
| D. | Figure | 2B |
| E. | Figure | 3 |
| F. | Figure | 4 |
| G. | Figures | 5, 5A |
| H. | Figures | 6, 6A, 7 |
| I. | Figure | 7A |
| J. | Figure | 7B |
| K. | Figure | 7C |
| L. | Figure | 7D |
| M. | Figure | 8A |
| N. | Figure | 8B |
| O. | Figure | 9A |
| P. | Figure | 9B |
| Q. | Figure | 10 |
| R. | Figure | 11 |

S. Figures 12, 12A
T. Figures 13, 13A

The Examiner required that the applicant elect a single disclosed species for prosecution on the merits, to which the claims shall be restricted if no generic claim is finally held to be allowable.

The applicant hereby elects Species B, (Fig. 2). The following claims are readable on the elected species:

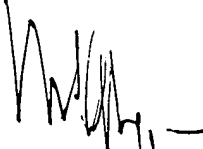
1, 4, 5, 6, 19-23, 25-30, 33-37, 39-40, 43-50.

Applicant believes that the present application is ready for examination on the merits. Should any questions arise, the Examiner is encouraged to contact the undersigned.

A Request for One-Month Extension of Time is filed concurrently. The Commissioner is hereby authorized to charge the fee for One-Month's Extension of Time (\$60.00) to Deposit Account No. 50-2678, and any additional fees which may be required, or credit any overpayment, to Deposit Account No. 50-2678.

Respectfully submitted,

Greenberg Traurig LLP
Customer No. 35893



Date: April 13, 2006

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